

**REMARKS**

Claims 1-12 and 15-17 remain in the application, claim 19 having been canceled.

Claims 1-3, 7-9, 13-15, 17 and 19 are rejected as unpatentable over Gallant in view of Clayton et al. Claims 4 and 10 are rejected as unpatentable over Gallant in view of Garceran et al. Claims 5, 6, 11 and 12 are rejected as unpatentable over Gallant in view of Owensby and Michaels et al. All rejections are respectfully traversed.

First of all, if the examiner does not consider the application to be in condition for allowance after considering the remarks below, the examiner is requested to issue a new Office action clearly stating the references relied on in each rejection. The rejection of claims 1-3, 7-9, 13-15, 17 and 19 is stated to be based on Gallant in view of Clayton et al. However, the examiner then proceeds to discuss Gallant and Owensby. It is not clear if the rejection is supposed to be based on Gallant and Clayton, or Gallant and Owensby, or Gallant and Clayton and Owensby.

Without knowing the exact basis for the rejection, the following comments are offered.

A feature originally only reflected in claim 6 but added to claim 1 in the amendment filed August 10, 2006 is that the system sends only short code numbers corresponding to services matching user information produced by the mobile telephone. This is clearly not shown in Gallant. The examiner has not pointed to anything in Clayton which teaches this feature, so the rejection based on Gallant and Clayton must fail.

If the examiner intends to rely on Owensby in rejecting claim 1, it is noted that Owensby deals with targeted advertisement. If one of skill in the art were to consider combining the

teachings of Owensby with those of Gallant, the result might be a system in which targeted advertisements would be sent to the mobile telephones. But the short codes numbers provided by the Gallant system are not advertisements but instead navigational/operational tools. A user would receive the short code numbers just as Gallant teaches, and would also receive targeted advertisements, and might then use short code numbers corresponding to one or more of the targeted advertisements. But there is nothing in the references, either alone or in combination, which would have suggested sending only selected short code numbers. The advertisers may want to send targeted advertisements because they are statistically more likely to find a receptive consumer, but this is only statistical. The phone system operator does not know what a particular user wants and could not send only selected short codes. The present invention allows the user to specify the categories of short codes to be sent, so there is some specific indication from the user that the system operator can rely on in deciding what short codes to send. This is not the case in the cited art. And while it is true that this user input is not recited in claim 1, it is nonetheless the case that user input to the selection of the short codes is nowhere suggested in the cited art, so the modification proposed by the examiner would simply not have occurred to the artisan, and the rejection is based on hindsight.

With respect to claim 6, the examiner points to lines 34-36 of column 6 of Michaels as teaching the transmitting of numbers corresponding to services matching a user profile, but what Michaels et al teaches is the training of a SIM card to only *receive* certain codes. There is no discussion of having only certain codes *sent*. Having the system constantly sending short codes for all possible services or points of interest results in a waste of substantial transmission capacity on information 99% of the users have no interest in, and there is a particular advantage

in having the user able to set up a profile that requests dialing codes for a particular category, e.g., tourist attractions in a geographical area. This may be even more advantageous if the location information of the mobile is obtained via GPS instead of simply the cell location, because this would enable the provision of walking tour information to a tourist very effectively, e.g., as described in the last paragraph of the specification.

This type of operation is neither shown nor suggested in the art of record.

The same feature of sending only short code numbers matching user information produced by the mobile telephone is recited in independent claim 7 as well, so that all of claims 1-3, 5-9, 11, 12 and 15-17 distinguish over the cited art for the same reason as discussed above.

As to the remaining claims 4 and 10, these claims both recite that each control station maintains its own local database of short code numbers and corresponding services. The result will be that a user connected to one control station will get short code numbers corresponding to services local to that control station, and the same or a different user connected to a different control station will get short code numbers corresponding to services local to the second control station, so that the same short codes may designate different services depending on which control station is accessed. To the contrary, lines 16-22 of column 5 describe that two different subscribers dialing the same code from two different geographical locations will both get the same translation into the same number to be dialed. Thus, the subject matter of claims 4 and 10 is not taught.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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